



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,286	08/15/2001	Tadamasa Yamanaka	Q65836	8103

7590 07/29/2003

SUGHRUE, MION, ZINN,  
MACPEAK & SEAS, PLLC  
2100 Pennsylvania Avenue, NW  
Washington, DC 20037-3213

[REDACTED] EXAMINER

LA, ANH V

ART UNIT	PAPER NUMBER
2636	11

DATE MAILED: 07/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/929,286	YAMANAKA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Anh V La	2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 05 May 2003.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-6 and 17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6 and 17 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |                                                                                                    |                                                                              |
|----------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.<br>. | 6) <input type="checkbox"/> Other: _____ .                                   |

Art Unit: 2636

### DETAILED ACTION

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claim 1, 4-6, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eslaminov in view of Mansell.

Regarding claims 1, 17, Eslaminov discloses an anti-theft system for vehicles comprising vehicle-theft reporting means 12, an anti-theft service center 14 remotely from the vehicles, and an anti-theft apparatus 18 or control circuit 18 mounted on the vehicle for inhibiting an engine of the vehicle. Eslaminov does not disclose the service center reporting theft of the stolen vehicle to authorities. Mansell teaches the use of an anti-theft service center 150 reporting theft of a stolen vehicle to authorities 160 (column 2, lines 35-68, col. 6, lines 55-68, col. 8, lines 35-40, col. 22, lines 35-47). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the service center reporting theft of the stolen vehicle to authorities to the system of Eslaminov as taught by Mansell for the purpose of providing a vehicle tracking and security system which allows immediate response in case of vehicle theft.

Art Unit: 2636

Regarding claim 4, Eslaminovin discloses an audio and visual warning 20, 22 to a driver of the vehicle to stop the vehicle.

Regarding claim 5, Eslaminovin as modified by Mansell discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose present-location detecting means. Mansell further discloses present-location detecting means 120 (abstract). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include present-location detecting means to the system of Eslaminovin as taught by Mansell for the purpose of providing a present location of the vehicle when needed.

Regarding claim 6, Eslaminovin discloses the vehicle-theft reporting means being a cellular phone 30 (col. 3, lines 40-60).

3. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eslaminovin in view of Mansell as applied to claim 1 above, and further in view of Gilmore.

Regarding claim 2, Eslaminovin as modified by Mansell discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose the anti-theft apparatus inhibiting the engine of the vehicle from restarting in response to reception of the theft signal only when the vehicle is stopped. Gilmore teaches the use of an anti-theft apparatus inhibiting an engine of a vehicle from restarting in response to

Art Unit: 2636

reception of a theft signal only when the vehicle is stopped (column 3, lines 1-30, col. 5, lines 1-33). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the anti-theft apparatus inhibiting the engine of the vehicle from restarting in response to reception of the theft signal only when the vehicle is stopped to the system of Eslaminovin (modified by Mansell) as taught by Gilmore for the purpose of providing a safe stop for the vehicle.

Regarding claim 3, Eslaminovin as modified by Mansell discloses all the claimed subject matter as set forth above in the rejection of claim 1, and further discloses the anti-theft apparatus blinking lights 20 of the vehicle, but does not disclose continually sounding a horn of the vehicle in response to reception of the theft signal when the vehicle is in motion. Gilmore teaches the use of an anti-theft apparatus continually sounding a horn of the vehicle in response to reception of the theft signal when the vehicle is in motion (column 3, lines 1-30, col. 5, lines 1-33). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the anti-theft apparatus continually sounding a horn of the vehicle in response to reception of the theft signal when the vehicle is in motion to the system of Eslaminovin as modified by Mansell as taught by Gilmore for the purpose of attracting attention of any local population.

***Answers to Remarks***

4. Applicant's arguments filed on January 29, 2003 have been fully considered.

Applicant's arguments with respect to claims 1-6 and 17 have been considered but are moot in view of the new ground(s) of rejection.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V La whose telephone number is (703) 305-3967. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on (703) 305-4717. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.



Anh V La  
Primary Examiner  
Art Unit 2636

al  
July 24, 2003